

**Municipal Review Committee Meeting
Planning & Zoning Conference Room**

**December 9, 2002
7:00 p.m.**

Committee Members Attending:

Jeff Grenzebach, Chairman
John Moulin
Eileen Boylan
Dan Michnik
Wendy Salvati
Phil Sgamma

Agenda Item I - Calamar Medical Office Building/Eastern Hills Corridor Plan
37,000 GSF Medical Office Building – Sheridan Drive Entrance

Ken Franasiak from Calamar Development was present to give a short summary of the project. DEC has said that there are no known species identified as threatened or endangered on this site. The NYSDOT has said that there are no significant thresholds met that would warrant any change in the project design. The EAF Part II analysis showed that there were no potentially significant impacts that would result from this project.

The applicant has made some changes to the site plan at the Planning Board's request. Jeff Grenzebach asked if there would be a light at the intersection of the Eastern Hills Corridor and this access road. Jim Callahan said that there would probably be a light at Sheridan Drive and the access road, but that the other intersection would be a four-way stop. The Eastern Hills Corridor would be built as funding became available.

The area is currently zoned Commercial District and the future land use plan does show this area as Commercial.

ACTION: Motion by Phil Sgamma, seconded by John Moulin, that the MRC recommend to the Town Board a Negative Declaration on this proposed action after a thorough review of the involved agency correspondence and the EAF part II impacts.

VOTING: All Ayes.

MOTION PASSED

Agenda Item II – Gables on the Green

Jim Callahan restated the previous chronological action of the review process to date. The board has received some comments from involved agencies. Tom Hollander gave a brief presentation of the project. They are trying to provide more amenities to the future residents of this community than any other development in Clarence. It is about 58% open space subtracting the lakes and wetland area. They are trying to locate the units so that they do not obstruct each other. The land cannot be used for agricultural purposes because it has been completely stripped of soil. Tom Hollander said that they anticipate a tax revenue of \$1.7 M at full build out.

Jim Callahan said that Rick Rosenberry from the Erie County Water Authority called and said that they are not ready to comment formally, but that water pressure concerns in the area will require more study. There are several projects that the Authority is undertaking that may correct some of the existing problems, but they are not sure. They will not be able to make any final comments until they have further documentation on the situation in the Hollow.

The Erie County DEP also submitted a comment that they believe that the Town, as Lead Agent should issue a Positive Declaration, in order to gather more information regarding impacts.

Jeff Grenzebach asked Tom Hollander if they have done any water study for the project. Susan King stated that they did look at the water pressure over a 2½ day period in October of last year. The ECWA tested a hydrant and it showed a 35-55 psi range. The ECWA work includes two pump station upgrades at Transit and William as well as Harris Hill and Main Street. The Transit and William pump station would be the project that influences this area the most. Tom Hollander said that they have a concern over pressure as well. He said that the volume of water is not a problem. There is 670 gal./min. flow in the system which is much more than they require.

One resident said that the test that was done in April does not give an accurate account of summertime usage when people are watering lawns and washing cars outside. The pressure at one residence was 20 psi according to a home test he conducted in the summer when he lodged a complaint with the Erie County Water Authority. There should be further testing done when the summer water usage is at its highest. Susan King said that the ECWA has hired a private consultant to do some testing.

Jim Callahan sated that Rick Rosenberry, P.E. for the ECWA said that they need additional information before they can comment on this project. Tom Hollander said that there have been very few complaints regarding water pressure in this area. One resident said that the ECWA does not log complaints regarding water pressure.

Jeff Grenzebach asked about the septic system design. Susan King said that they will be developing the project in “pods” of eight-ten buildings each that will be tied to separate tanks and the liquid waste would be piped to a remote leach field including a sand filtered system. The site will be mostly gravity fed until the sand filtered bed, which will lie at the lowest point of the project area, where it will be pumped up to dose a number of leachate beds.

Susan King said that since they have surveyed the area, the ponds have gone up and down to certain levels that will have to be the points where they need to be above in order to have the system work properly. They are proposing to line the ponds with clay in order to control seasonal fluctuations in volumes.

Tom Hollander said that they wanted to create a system that was mostly free of mechanical devices so as not to cause long-term maintenance problems. The Homeowner’s association will pay for the maintenance of the system out of dues. Susan King said that the DEC likes the idea of this type of system. By using Zabel filters in the system provides a biofilm

screen that keeps the solids within the tanks and the liquid flowing through the pipes to the dosing fields.

One resident asked about the subsurface water quality. Susan King said that there are two aquifers. Most of the well water is being tapped into the first aquifer, which is in the limestone strata layer. That layer is within 60 feet of the surface. The Camillus layer, which is also considered the trash layer, is between 60-200 feet from the surface. The flow of this water is from East to West, or East to Northwest. Our project will not affect the resident on Jones Road who is on a well. One resident said that there is a home on Ransom Road that has a well. He said that this project would surely have an effect on that house.

One resident said that the septic field that they are proposing is placing too much waste in such a small area. The Erie County Health Department requires him to have a large lot in order to maintain his single-family home. He asked how they could approve such a small area for 240 units. He did not believe that that could be considered a fair practice. Phil Sgamma asked Mr. Hollander if they have any documentation that this system would be acceptable to the DEC. Tom Hollander said that they have submitted their plans to DEC and they have failed to comment within the thirty-day comment period. It seems that they have a procedural issue. Wendy Salvati said that they do have a comment back from DEC stating that we should not Neg. Dec. this project. Wendy said that she would prefer to recommend a Positive Declaration on this project.

Susan King said that Chuck Cranston from DEC had concerns over the wetland buffer area, which had 115 monument points previously. They have since reduced the number of monument points to delineate around the single-family homes. Wendy Salvati asked if they had showed DEC the new drawing. Susan said that Richard Rink has seen the new drawings.

Wendy Salvati said that they also have letters back from the Erie County Planning Department as well as the Erie County Water Authority that indicate several areas of concern and that both agencies need more information before they can determine the significance of the impacts. George Grasser, attorney for the applicant stated that the letter from DEP doesn't really say anything. Wendy said that it does say that they have concerns over the conflict with density and the recently adopted Master Plan as well as the fact that this property is not in a sewer district.

Tom Hollander said that they were directed by the Town to apply for PURD zoning and that this project would reclaim an abandoned sand and gravel mine. Susan King said that they are meeting the minimum area requirements in the Master Plan under the Proposed Zoning Map. Jim Callahan said that the Town's only mechanism to allow for a cluster design is the PURD zoning District. The future land use map in the comprehensive plan was the map that they were basing the density on. Phil Sgamma said that the density should be based on buildable land not on gross acreage.

The board went through the EAF part II and identified several potentially large impacts that would require further documentation.

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ACTION: Motion by Eileen Boylan, seconded by Wendy Salvati, that the board recommend a Positive Declaration on this project and that the Town Board establish a date for a public scoping session to establish criteria for the Draft Environmental Impact Statement (DEIS).

VOTING: All Ayes.

MOTION PASSED

Meeting adjourned @ 8:30 p.m.